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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

**Edgar A. MENDOZA**

**Serial No.:** 09/574,840

**Filed:** May 19, 2000

**For:** THERMALLY-ASSISTED PHOTO-  
LITHOGRAPHIC PROCESS USING  
SOL-GEL DERIVED GLASS AND  
PRODUCTS MADE THEREBY

)  
) **Confirmation No.:** 1340

)  
) **Group Art Unit:** 2784

)  
) **Examiner:** Sanghavi, Hemang

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE UNDER 37 CFR 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP**

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT  
APPEALS AND INTERFERENCES AND TRANSMITTAL FOR AMENDMENT  
AND RESPONSE AFTER FINAL REJECTION**

Applicant hereby appeals to the Board from the decision of the Primary Examiner mailed August 11, 2004, finally rejecting claims 15-18, 33, 40 and 42-46, and objecting to claim 41. Furthermore, transmitted herewith is an Amendment and Response after Final Rejection (37 C.F.R. 1.116) for this application.

The items checked below are appropriate:

☒ **"Small Entity Status"** of this application under 37 CFR 1.27 has been established.

**CERTIFICATE OF MAILING**  
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1450.

02/16/2005 MAHME1 00000036 502468 09574840

01 FC:2401 250.00 DA

February 11, 2005

Date of Deposit

LAI-2174374v1

David A. Randall

Name of Person Mailing Paper

Signature of Person Mailing Paper

- ☐ A Verified Statement to establish "Small Entity Status" under 37 CFR 1.9 and 1.27 is enclosed.

### FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 CFR 1.17(b), the fee for filing the Notice of Appeal is:

- ☐ other than a small entity \$500.00
- ☒ small entity \$250.00

**Notice of Appeal Fee Due: \$250.00**

### EXTENSION OF TIME

- ☒ Applicant(s) petitions for an extension of time under 37 CFR 1.136 [fees: 37 CFR 1.17(a)-(d)] for the total number of months checked below:

EXTENSION (months)	FEE FOR SMALL ENTITY	FEE FOR OTHER THAN SMALL ENTITY
<input type="checkbox"/> one month	\$60.00	\$120.00
<input type="checkbox"/> two months	\$225.00	\$450.00
<input checked="" type="checkbox"/> three months	\$510.00	\$1,020.00
<input type="checkbox"/> four months	\$795.00	\$1,590.00
<b>Fee</b>		<b>\$510.00</b>

**If an additional extension of time is required, please consider this a petition therefor.**

### FEES FOR CLAIMS:

The fees for claims (37 CFR 1.16(b)-(d)) have been calculated as shown below:

Total Claims	- 45	= 0 x \$50	\$0.00
Independent Claims	- 10	= 0 x \$200	\$0.00
Multiple Dependent Claims	\$360 (if applicable)		\$0.00
<b>TOTAL OF ABOVE CALCULATIONS</b>			<b>\$ 0.00</b>
Reduction by ½ for Filing by Small Entity. Note 37 CFR 1.9, 1.27, 1.28. If applicable, Verified Statement must be attached.			
<b>TOTAL FEES FOR CLAIMS SUBMITTED HEREWITH</b>			<b>\$0.00</b>

- ☐ A check in the amount of \_\_\_\_\_ is enclosed to cover the above fee(s).
- ☒ Charge Jones Day's Deposit Account No. **50-2468** in the amount of **\$760.00**.

- ☒ The Commissioner is authorized to charge Jones Day's Deposit Account No. **50-2468** for any fees required under 37 CFR §§ 1.16 and 1.17 that are not covered, in whole or in part, by a check enclosed herewith and to credit any overpayments to said Deposit Account **50-2468**.

Respectfully submitted,

Dated: February 11, 2005

By: \_\_\_\_\_



David A. Randall  
Reg. No. 37,217

Customer Number: 34026

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